



Whistleblowing Policy

Reviewed by	Governing Body
Date of last review	November 2022
Date of next review	November 2025
Approved by the Governing Body	30 November 2022

This policy will be reviewed sooner if there is a change to legislation or guidance which may affect it.

WHISTLEBLOWING POLICY

Introduction

Working Together to Safeguard Children (2018) says, 'organisations should have....clear whistleblowing procedures, which reflect the principles in Sir Robert Francis's Freedom to Speak Up review and are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.'

The staff and governors of Whitecross Nursery School seek to run all aspects of the school business and activity with full regard for high standards of conduct and integrity. In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, as a team we have established the following whistleblowing policy. It is a code of practice, which acts as a framework to allow concerns to be raised confidentially. It aims to provide a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term whistleblower denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies* published in May 1996.

Whitecross Nursery School is committed to tackling fraud and other forms of malpractice and treats these issues seriously. We recognise that some concerns may be extremely sensitive and have therefore developed a system which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school.

Whitecross Nursery School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that it will be appropriately considered and resolved.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the grievance procedures.

When might this policy apply?

The type of activity or behaviour which we consider should be dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of school assets or funds
- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

What action should the whistleblower take?

Whitecross Nursery School encourages the whistleblower to raise the matter internally in the first instance to allow those school staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity. We have designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Name & Position Contact details

Headteacher headteacher@whitecross.derby.sch.uk
Chair of Governors chair@whitecross.derby.sch.uk

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

Alternatively, if the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the school, the matter should be directed in the first instance to the Derby City Council's Head of Audit.

Head of Governance and Assurance
Resources Directorate
Derby City Council
Corporation Street
Derby
DE1 2FS

Tel: 01332 643280

Derby City Council has its own procedures for dealing with such matters and will ensure every effort to respect the confidentiality of the whistleblower. They will ensure relevant officers of the Department for Education and Employment are informed as appropriate.

In addition, information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for this charity are as follows:

Protect – Speak up, Stop harm
The Green House
244-254 Cambridge Heath Road
London E2 9DA

<https://protect-advice.org.uk/>

General enquiries: 020 3117 2520.

How will the matter be progressed?

The individual(s) in receipt of the information or allegation [the investigating officer(s) designated to deal with these matters, as named on page 4] will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff, legal or personnel advisors, the police, the Department for Education and Employment, Derby City Council.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body and to Derby City Council.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s), the governing body and/or directed to Derby City Council.

Respecting confidentiality

Wherever possible Whitecross Nursery School seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. We will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

Conclusion

Existing good practice within Whitecross Nursery School in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the school operates ensure that cases of suspected fraud or impropriety rarely occur.

This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the school. This document is a public commitment that concerns are taken seriously and will be actioned.

WHISTLEBLOWING POLICY Advice

Employees will often be the first to see or suspect misconduct, which may be innocent or which may turn out to be a fraud on your organisation, a public danger, or some other serious malpractice. Making sure your employees keep their eyes open and can and do play their part is a key way to promote, displayed and ensure good practice. If you successfully involve your employees, it should give a clear message to those who are tempted that they won't get away with it. And everyone else will soon see that you are serious about tackling all forms of serious malpractice and abuse.

Setting the context

- Involve your employees, listen to their sense of right and wrong. Explain what fraud on the organisation is, its effect on their jobs and the service they provide. Be as clear about the effects of other forms of serious malpractice.
- When you find serious malpractice (whether by employees, contractors or the public), deal with it seriously. Remember you can't expect your employees to practice higher standards than those you apply.
- Make it clear that the organisation is committed to tackle fraud and abuse, whether the perpetrators are inside or outside.
- Make it known how seriously you treat the issue. If employees don't know that you will tackle the problem, they won't tell you about it.
- Employees need to know what practices are unacceptable (eg as to hospitality, gifts). They should be encouraged to ask management if something is appropriate before - not after - the event.
- Get staff unions to back and promote this approach. *Be open to concerns.*
- It is never easy to report a concern, particularly one which may turn out to be fraud or corruption.
- Try to ensure that management is open to such concerns **before** they become part of a grievance and do not let management's lack of action itself become a grievance.
- Make it clear that you will support concerned employees and protect them from reprisals. Do everything you can to respect their confidentiality.
- Aside from line management, make sure employees have another route to raise a concern within the authority. This should be to the Chief Executive, a non-executive director or senior officer. Tell employees by posters, memos or messages on their pay slips how they can contact that person in confidence. And remind them of relevant external routes if they do not have confidence to raise the concern internally, such as an external auditor, a regulatory body and that they can approach Public Concern at Work for confidential advice.
- Remember there are two sides to every story.
- Respect and heed legitimate employee concerns about their own safety or career.
- Emphasise to both management and to staff that victimising employees or deterring them from raising a concern about malpractice is a disciplinary offence.
- Make it clear that abusing this process by raising unfounded allegations maliciously is a disciplinary matter.
- Offer to report back to the concerned employee about the outcome of the investigation and, where possible, on any action that is proposed.

Checklist provided by Public Concern at Work.

Public Concern at Work - Whistleblowing Advice Line: 020 7404 6609

General enquiries: 020 3117 2520

Draft Written September 2008

Adopted – November 2008

NSPCC Advice Line

Tel: 0800 028 0285

<https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>